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Jason A. Gonzalez

Date February 28, 2005

IFW ~ 1614

**PATENT** 

Attorney Docket No.: 39739-0029A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION	,
Inventor(s): Feng YING, et al.	) Art Unit: 1614
Application No.: 10/718,948	) Examiner: To Be Assigned
Filed: November 20, 2003	) Customer No.: 25213
Title: METHOD FOR COUNTERACTING A PATHOLOGIC CHANGE IN THE β-ADRENERGIC PATHWAY	) ) )

## <u>UNDER 37 C.F.R. §1.97</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

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SV 2106412 v1 Attorney Docket No.: 39739-0029A -1-

$\boxtimes$	This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):						
		(1)	It is being filed within 3 months of prosecution application under § 1 OR	of the application filing date and is other than a continued .53(d)			
		(2)	It is being filed within 3 months of OR	of entry of a national stage			
	$\boxtimes$	(3)		ate of the first Office Action on the merits			
		(4)		g of a first Office Action after the filing of a request for .114.			
	of a nat §1.491	tional ap in an in the mail	oplication; (2) three months beyond ternational application; or (3) the n	eing filed after the latest of: (1) three months beyond the filing date as beyond the date of entry of the national stage as set forth in (3) the mailing date of a first Office action on the merits, but final office action under §1.113 or a notice of allowance under			
		a certification as specified in §1.97(e) is provided below; or					
		a fee of \$180.00 as set forth in \$1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.					
	37 C.F. action	37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:					
	A.	a certification as specified in §1.97(e) is completed below; and					
	B.	a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and					
	C.	a fee of \$130.00 as set forth in \$1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.					
$\boxtimes$	Fee Authorization. The Commissioner is hereby authorized to charge any fees due by this communication and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No.: 39739-0029A).						
			1	Respectfully submitted,			
			]	HELLER EHRMAN WHITE & MCAULIFFE LLP			
Dated:	Foln	nay	28 2005	By: Sam L. Nguyen, Reg. No. 52,496			
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ATTY. DOCKET NO.: SERIAL NO.: 10/718,948 SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT 39739-0029A APPLICANT: YING, et al. PTO-1449 **FILING DATE: 11/20/03 GROUP: 1614** U.S. PATENT DOCUMENTS FILING DATE **CLASS SUBCLASS EXAMINER'S** PATENT NO. DATE NAME **INITIALS** FOREIGN PATENT DOCUMENTS TRANSLATION COUNTRY CLASS EXAMINER'S PATENT NO. **SUBCLASS** DATE **INITIALS** YES NO WO 02/40468 05/23/02 **PCT** П WO 00/61576 10/19/00 **PCT** П OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) Roberts and Sporn Handbook of Experimental Pharmacology (1990) 95:419-58. Massague et al. Ann Rev Cell Biol (1990) 6:597-646. Whitman, Genes Dev. 12:2445-62 (1998). Miyazono et al., Adv. Immunol. 75:111-57 (2000). Attisano et al., "Signal transduction by the TGF-\$\beta\$ superfamily" Science 296:1646-7 (2002). Bottinger and Bitzer, "TGF-β signaling in renal disease" Am. Soc. Nephrol. 13:2600-2610 (2002). Topper, J.N., "TGF-β in the cardiovascular system: molecular mechanisms of a context-specific growth factor" Trends Cardiovasc. Med. 10:132-7 (2000). Itoh et al., Signaling of transforming growth factor-β family, Eur. J. Biochem. 267:6954-67 (2000). Xiao, R.P., Sci STKE Oct 16:2001(104):RE15. Port and Bristow, J. Mol. Cell. Cardiol. 33:887-905 (2001). Cross et al., Circ. Res. 85:1077-1084 (1999). Mills, S.E., J. Anim. Sci. 80(E. Suppl. 1):E30-E35 (2002). Bristow, Lancet 352 (Suppl. I) 8-14 (1998).

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

DATE CONSIDERED

SV 2106412 v1 Attorney Docket No.: 39739-0029A

**EXAMINER** 

## **SERIAL NO.: 10/718,948** ATTY. DOCKET NO.: SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT 39739-0029A APPLICANT: YING, et al. PTO-1449 **GROUP: 1614 FILING DATE: 11/20/03** U.S. PATENT DOCUMENTS **CLASS SUBCLASS** FILING DATE **EXAMINER'S** NAME PATENT NO. DATE INITIALS FOREIGN PATENT DOCUMENTS TRANSLATION **SUBCLASS EXAMINER'S** PATENT NO. DATE COUNTRY **CLASS INITIALS** YES NO П $\Box$ OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) Ligget S.B., J. Clin. Invest. 107:947-8 (2001). Moniotte and Balligand, Cardiovasc. Drug. Rev. 2):19-26 (2002). McGraw et al., Am. J. Physiol. Lung Cell Mol. Physiol 281:L895-903 (2001). MsGraw et al., Am. J. Physiol. Lung Cell. Mol. Physiol. 279:L379-89 (2000). Johnson, M., Am. J. Respir. Crit. Care Med. 158:S146-S153 (1998). Ligget et al, Regulation of Cellular Signal Transduction Pathways by Desensitization and Amplification, 71-96, John Wiley and Sons, New York, 1994; S. E. Mills, 2002, supra, and Johnson, M., 1998, supra. Bristow et al., Circ. Res. 59:297-309 (1986). Brodde and Michel, *Pharmacol. Rev.* 51:651-690 (1999). Ligget, J. Clin. Invest. 107:947-948 (2001). Bristow, 1998, supra; Bristow et al., N. Engl. J. Med. 307:205-211 (1982). Nair et al., J. Cel., Physiol. 164:232-239 (1995). Lorita et al., Am. J. Physiol. Heart. Circ. Physiol. 283:H1887-1895 (2002). Heath et al., J. Physiol. 512:779-791 (1998). Strader et al., J. Biol. Chem. 264:13572-13580 (1989). lizuka et al., J. mol. Cel.. Cardiol. 26:435-440 (1994). Rozankranz et al. (Am. J. Physiol. Heart. Circ. Physiol. 283:H1253-1262 (2002). Henson et al., DNA Cell Biol. 19:757-763 (2000). Gibson UEM, Heid CA and Williams PM. Genome Res. 6, 995-1001, 1996. Steinberg, Cir Res. 85:1101-1111 (1999). DATE CONSIDERED

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT PTO-1449			ATTY. DOCKET NO.: SERIAL NO.: 10/718,948 39739-0029A APPLICANT: YING, et al.					
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